



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Jarrett S. Blankenship Co.

**File:** B-256061.3

**Date:** March 17, 1994

---

### DECISION

Jarrett S. Blankenship Co. protests the award of a contract to Innovative Refrigeration Concepts (IRC) by the Department of the Army under solicitation No. DABT23-94-B-0011.

The protest, as filed with our Office, does not establish a basis for challenging the agency's action and, accordingly, must be dismissed.

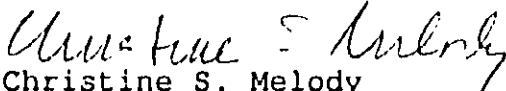
Blankenship protested to the agency on February 14, 1994, that it was the low bidder and should have received the award. Blankenship also challenged the award to IRC on various grounds. The agency's response, dated March 2, stated that Blankenship was not the low bidder after application of the 10 percent evaluation preference for small disadvantaged businesses called for by the solicitation. The agency also responded to Blankenship's objections to the award to IRC. In an undated letter received in our Office on March 10, Blankenship states as follows:

"I Jarrett S. Blankenship with Jarrett Blankenship Co. protest this bid & ask for it not to be awarded. I protested to the Directorate of Contracting but was denied, without checking to see if what I said was true. I think it is their duty to do this."

The jurisdiction of our Office is established by the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988). Our role in resolving bid protests is to ensure that the statutory requirements for full and open competition are met. Brown Assocs. Mgmt. Servs., Inc.--Request for Recon., B-235906.3, Mar. 16, 1990, 90-1 CPD ¶ 299.

To achieve this end, our Bid Protest Regulations require that a protest include a detailed statement of the legal and factual grounds of a protest, 4 C.F.R. § 21.1(c)(4), and that the grounds stated be legally sufficient. 4 C.F.R. § 21.1(e). These requirements contemplate that protesters will provide, at a minimum, either allegations or evidence sufficient, if uncontradicted, to establish the likelihood that the protester will prevail in its claim of improper agency action. Robert Wall Edge--Request for Recon., 68 Comp. Gen. 352 (1989), 89-1 CPD ¶ 335.

Here, the agency responded in detail to all the issues raised in Blankenship's agency-level protest. In its subsequent protest to our Office, Blankenship makes only a general statement objecting to the agency's denial of its protest. The protest does not include sufficient factual information to establish the likelihood that the agency violated applicable procurement laws or regulations. Therefore, it must be dismissed without further action.

  
Christine S. Melody  
Acting Associate General Counsel